

# United States District Court

EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

DOUG HARRIS and DIANA HARRIS

v.

DEVON ENERGY PRODUCTION  
COMPANY, L.P.

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CIVIL ACTION NO. 4:10cv708  
(Judge Schneider/Judge Mazzant)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On July 19, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion for Summary Judgment (Dkt. #36) should be denied without prejudice to refiling sixty days from the adoption of the Report and Recommendation of United States Magistrate Judge.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion for Summary Judgment (Dkt. #36) is DENIED without prejudice to refiling sixty days from the signing of this Memorandum.

**IT IS SO ORDERED.**

**SIGNED this 10th day of August, 2011.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE